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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

KLOOSTERBOER INTERNATIONAL
FORWARDING LLC and ALASKA
REEFER MANAGEMENT LLC,

Plaintiffs,

vs.

U.S.A., U.S. DEPT. OF HOMELAND
SECURITY, U.S. CUSTOMS AND
BORDER PROTECTION, and TROY A.
MILLER, Acting Commissioner,

Defendants.

Case No.: 3:21-cv-00198 (SLG)

REPLY DECLARATION OF DAVID KARL GROSS

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. I am a partner at Birch Horton Bittner & Cherot, counsel to Plaintiffs, and am duly admitted in this court. I make this Declaration in support of Plaintiffs' Reply Memorandum of Law in Further Support of Plaintiffs' Motion for Temporary Restraining Order and Preliminary Injunction.

2. Attached hereto as **EXHIBIT 1** is a true and correct copy of CBP Headquarters Ruling Letter 116021, dated January 21, 2004.

3. Attached hereto as **EXHIBIT 2** is a true and correct copy of CBP Headquarters Ruling Letter 105604, dated April 30, 1982.

4. Attached hereto as **EXHIBIT 3** is a true and correct copy of a CBP Delegation Order and Attached Guidance, dated April 2021.

Dated: September 14, 2021

BIRCH HORTON BITTNER & CHEROT

/s/ David Karl Gross

David Karl Gross, ABA #9611065